

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings include changes to Fig. 5. This sheet, which includes Fig. 5 replaces the original sheet including Fig. 5, and labels Fig. 5 as “Prior Art.”

Attachment: Replacement Drawing Sheet

REMARKS**Introduction**

In response to the final Office Action dated October 17, 2007, Applicants have amended the drawings. Claims 18-34 have been cancelled. Claims 35-51 have been added. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Entry of Amendment under 37 C.F.R. § 1.116

The Applicants request entry of this Rule 116 Response. Support for new claims 35 and 36 is found in, for example, Fig. 1 and pg. 12, line 21-pg. 14, line 4. Support for new claims 37 and 38 is found in, for example, Fig. 2 and pg. 16, line 27-pg. 18, line 18. Support for new claims 39-43 is found in, for example, Fig. 3 and pg. 17, lines 1-5. Support for new claims 44-47 is found in, for example, Fig. 4 and pg. 21, line 12-pg. 22, line 23. Support for new claims 48-51 is found in, for example, Fig. 10 and pg. 29, line 17-pg. 30, line 8. There are no new issues presented. As will be explained below, the claim amendments place the application in condition for allowance. Moreover, the Manual of Patent Examining Procedure sets forth in Section 714.12 that “any amendment that would place the case either in condition for allowance or in better form for appeal may be entered.” Entry of these claim amendments is respectfully requested.

Drawings

The Office Action stated that Fig. 5 should be designated as --Prior Art--. Fig. 5 has been labeled --Prior Art--. Withdrawal of the foregoing objection is respectfully requested.

Claim Rejection Under 35 U.S.C. § 112

Claims 18-34 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicants respectfully submit that the rejection is moot in view of the amendment cancelling claims 18-34.

Claims 20-28 were rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite.

Applicants respectfully submit that the rejection is moot in view of the amendment cancelling claims 18-34.

The Office Action states that it is unclear what the expression “of the heat medium” means or makes references to.

According to the claimed subject matter per claims 35-37, 39, 40, 42-48, 50, and 51, a heat medium is a flowing liquid or gas that circulates in the fuel cell to heat or cool the fuel cell. Thereby, as taught in the instant specification, the heat medium maintains the reaction gas channels at a temperature of the dew point of gas or greater (*see, e.g.*, pg. 6, lines 7-11 and pg. 27, lines 21-26).

Accordingly, one having ordinary skill in the art would not have difficulty understanding the scope of the presently claimed invention, particularly when reasonably interpreted in light of the supporting specification. Therefore, it is respectfully submitted that the imposed rejection under 35 U.S.C. § 112, second paragraph is not legally viable and hence, Applicants solicit withdrawal thereof.


Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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